



August 27, 2024

Hon. Peggy Kuo
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201
VIA ECF ONLY

Re: *Shkolir, et. al v. RX2GO, Inc., et. al.*; 1:23-cv-7256-OEM-PK (EDNY)
REQUEST TO EXTEND TIME FOR DEADLINES

Your Honor:

We represent the Plaintiffs in the above-referenced action. We write to ask for an extension of the upcoming deadlines to allow time for the parties to complete discovery, which is currently set to close September 4. This is the first request to extend deadlines.

We have attempted multiple times to get confirmation from opposing counsel that he joins in this motion. We have no reason to believe he objects to the proposals set forth here; his most recent response was that he "could not confirm or decline to consent." The only pushback he has given was in regard to the initial requests proposed deadline date being blank and the initial discovery demands deadline being, which I explained was because in the previous order there was an "initial" discovery request deadline but no "final" date by which discovery was to be propounded, and at this point if and when discovery requests are to be made they should all be made at once rather than in stages given the procedural status of this case.

Pursuant to the Scheduling Order entered on January 31, 2024 [Dkt. 16], the parties were referred the EDNY mediation program with mediation to be held by May 17, 2024. Due to scheduling issues and filing of motions, mediation was held on July 23, 2024, and was unsuccessful. The parties held off on formal discovery requests while they scheduled and participated in mediation. On August 2, 2024, a conference was held before this Court regarding discovery disputes, and counsel for Defendants and counsel for Plaintiffs held a meet and confer on August 6, 2024. A Joint Status Report was filed by the parties on August 13, 2024, requesting that another status letter be submitted by August 27, 2024. [Dkt. 37]. Another one was filed on August 27. In light of these developments, we jointly request that the case schedule be modified as follows:

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| <u>Event</u> | <u>Dkt. 16</u> | <u>Proposal</u> |
|--|----------------|-----------------|
| Initial documents requests and interrogatories | 5/28/24 | |
| Discovery Demands deadline | | 10/1/24 |
| Fact Discovery deadline | 9/4/24 | 12/4/24 |
| Completion of All Discovery | 9/4/24 | 12/4/24 |
| Joint status Report | 9/9/24 | 12/11/24 |
| Dispositive Motions | 9/26/24 | 12/18/24 |
| Proposed Joint Pre-Trial Order | 10/4/24 | sine die/TBD |

Thank you for your consideration of these matters.

Sincerely,



Penn Dodson, Esq.

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